



Agenda Item Number: 2009-6-9D

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: June 9, 2009

Department: Infrastructure Planning Staff **Contact:** Tom Zdunek, DCM for Public Works
Mary Murnane, Water Resources Program Mgr.

TITLE: Memorandum of Understanding for the PIPE Program

ACTION: Motion to approve MOU with the Albuquerque Bernalillo County Water Authority (ABCWUA) for continued funding and operation of low-income assistance to sewer and water connection through the PIPE Program.

SUMMARY:

Partners in Improving and Protecting the Environment (PIPE) have assisted low-income households in Bernalillo County to connect to the Water Sewer Utility System since 1993. The PIPE program has also provided assistance in the upgrade or replacement of septic systems in those areas of the County where sanitary sewer service is not available. The program is available to property owners who meet the United States Housing and Urban Development (HUD) income guidelines. The property owners must reside at the property to be served and the amount of funding available varies from \$4,300 up to \$5,500 depending upon the income level of the household.

Currently, funding for the PIPE program is through County Environmental Services Gross Receipts Tax (ESGRT) and a grant from the ABCWUA. This grant is specifically for connection to the sanitary sewer system and the water system. The ABCWUA pays two-thirds and the County pays one-third the cost of connection for sanitary sewer. Presently, the County pays for all septic system replacement up to the specified amount.

The attached MOU continues this long-standing program. The current agreement has expired, and the ABCWUA and the County wish to initiate this MOU. In this way, the agreement will not expire unless terminated by either party. No financial resolution is required at this time, as funds were committed previously.

ATTACHMENT:

1. MOU for the PIPE Program (4)

FISCAL IMPACT

No additional fiscal impact – Agenda item is requesting approval of the MOU with ABCWUA for continued funding and operation of low-income assistance to sewer and water connection through the PIPE Program. The Program has been created and budgeted for \$350,000 within the Infrastructure Planning Department, and the County's Automated Financial Systems. The SAP Fund Centers are: IP.2009.MISCPS – 588803 (\$250,000 - ABCWUA) and IP.2009.MISCPS – 588910 (\$100,000 – Bernalillo County).

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

The program had been a major benefit to low income county residents to hookup to the water sewer system. I recommend Board approval. TL 5/29/2009

DEPUTY COUNTY MANAGER

The PIPE Program has demonstrated substantial success providing water and sewer installation targeted at low income citizens. I recommend the approval of this MOU. TZ 5/27/2009

LEGAL

Approved as to form. PFT 5/27/2009

FINANCE

Budget	Approval would allow the County to enter into an MOU with the ABCWUA to provide continued funding and operation of low-income assistance to sewer and water connection through the PIPE Program. The funds are currently available within the project cost center IP.2009.MISCPS. Stephanie Manzanares, Financial Service Administrator II, 05/15/09
Purchasing	Procurement is exempt from the State Statue (NMSA) per NMSA 13-1-98A/135. Phillip Lee, Purchasing Administrator, 05/19/09.
Contracts	Contract Control Number (CCN) 2009-00308 issued pending Commission approval. Phillip Lee, Purchasing Administrator, 05/9/09.
Risk Management	As between the parties, each party acknowledges and represents that it will be responsible for any claims by or damages to third parties to the extent they result from its negligent acts or omissions in the performance of the contract. The liability of the parties shall be subject in all cases to the immunities and limitations of the New Mexico Tort Claims Act. David A. Baca, Risk Management Director 05/19/09